

# **MINUTES OF THE SOLID WASTE BOARD MEETING**

## **Indiana Government Center South 402 West Washington Street Conference Center Room A Indianapolis, Indiana November 16, 2004**

The meeting was called to order by Mayor William Graham, Chairperson, at 1:30 p.m.  
Those present for all or part of the meeting were:

- Mr. Michael Carnahan
- Mr. Mark Davis
- Mr. Rick Dyar
- Mr. Chuck Himes
- Mr. Kerry Stepter
- Dr. Stephen Wintermeyer
- Mr. Howard Cundiff (Proxy, State Department of Health)
- Mr. Tom Hohman (Proxy, Department of Natural Resources)
- Ms. Pamela Fisher, (Proxy, Lieutenant Governor's Office)
- Ms. Deborah Albright, Board Counsel

A quorum was present.

In addition, the following IDEM, Office of Land Quality staff members were present for all or part of the meeting:

- Mr. Bruce Palin, Deputy Assistant Commissioner
- Mr. Mike Dalton, Section Chief, Operations and Information Branch, Rules, Planning and Outreach Section
- Ms. Pam Koons, Operations and Information Branch, Rules, Planning and Outreach Section
- Ms. Lynn West, Operations and Information Branch, Rules, Planning and Outreach Section
- Ms. Marjorie Samuel, Operations and Information Branch, Rules, Planning and Outreach Section
- Mr. Bruce Kizer, Chief, Compliance Branch
- Mr. John Crawford, Chief, Industrial Waste Compliance Section #2

# **1. APPROVAL OF MINUTES**

Mayor Graham asked for additions or corrections to the minutes of the Solid Waste Management Board meeting of October 19, 2004. There being none, Mr. Chuck Himes moved that the minutes be approved as presented. Dr. Stephen Wintermeyer seconded. The motion passed unanimously.

# **2. ASSISTANT COMMISSIONER'S REPORT**

Mayor Graham then asked Mr. Bruce Palin to address the Board. Mr. Palin first mentioned that there will be three nonrule policy documents

- a. (NPD) presented at the February 2005, Solid Waste Management Board meeting:
  - i. Methane Monitoring Program;
  - ii. MTBE Remediation; and
  - iii. Sampling and Analysis of Ground Water for Metals at Remediation Sites.

Mr. Palin briefly reviewed the contents of the NPDs and indicated that all three of the NPDs had been sent out for public comment. If no major concerns are raised during the comment period, all three NPDs will be presented in February. Mr. Palin then asked Ms. Lynn West to give an update on the rules.

Ms. West noted that there were no new rules added to the project list. She also distributed a list of Board meeting dates for 2005. Ms. West noted that the educational trip for 2005 has tentatively been planned for April. A tour of the Gibson County Power Plant has been arranged for Monday, April 18, 2005. A visit is also being planned for April 18 to see a closed landfill with methane monitoring and ground water corrective action. A tour of the Princeton Toyota plant is tentatively set for the morning of Tuesday, April 19, 2005, with the board meeting following in the afternoon.

- b. Mayor Graham then announced the following rulemaking actions:
  - o Preliminary Adoption of Amendments to 329 IAC 10-2-112 and the addition of 329 IAC 11-6.5, hereafter known as the Research, Development and Demonstration Rule. This hearing was noticed in the Indiana Register on October 1, 2004, and can be found at 28 IR 419.

Mayor Graham said that the above rule is available for public inspection in the Indiana Department of Environmental Management File Room, located on the 12th floor of the Indiana Government Center North. Instructions were given to the public regarding offering oral statements and comments to the Board; the court reporter was affirmed.

### **3. PRELIMINARY ADOPTION RESEARCH, DEVELOPMENT AND DEMONSTRATION RULE 329 IAC 10-2-112 and 329 IAC 11-6.5**

Mayor Graham announced that amendments to rules of the Board at 329 IAC 10-2-112, and the addition of 329 IAC 10-11-6.5, hereafter known as the Research, Development and Demonstration Rule, would now be considered for preliminary adoption. He introduced the draft rule into the record as Exhibit A. He then asked Ms. Lynn West to address the Board.

Ms. West explained that the rule would incorporate federal language, with some minor changes, to 329 IAC 10. The amendments and addition of language will provide landfill owners and operators an alternative to promote innovative technology associated with landfill and municipal solid waste. Ms. West said that restrictions and requirements would be changed to permit the controlled addition of liquids over and above the leachate produced on site to encourage quicker waste degradation. There is also a time limit allowed for the project. She also indicated that the economic impact would be less than \$500,000. For a complete account of Ms. West's remarks, please see pages 9 through 11 of the official transcript of this meeting.

Mayor Graham asked for public comment; there was none. Mayor Graham concluded the hearing. Mayor Graham then asked for a motion to preliminarily adopt the rule as presented. Mr. Himes so moved and Mr. Cundiff seconded.

Mayor Graham said that Ms. Linda Cosgrove submitted comments in writing because she was unable to attend the meeting. Copies were distributed to Board members. Ms. Cosgrove wrote that she felt that the proposed rule change was good because it increases the decomposition process but she had concern with how the additional gas would be handled. Ms. Cosgrove requested a rule change to restrict this type of permit modification to landfills that have an "active gas collection system". Mayor Graham said that a change like this could be dealt with after preliminary adoption so he let the original motion to preliminarily adopt the rule stand and Mr. Cundiff seconded. The motion passed unanimously.

Mayor Graham asked if there was anyone who wished to address the Board on topics of interest or potential rulemakings. There were no comments.

Mayor Graham then reminded all in attendance that

Mr. John Crawford would be making a presentation after adjournment about the Industrial Waste Compliance Program activities, inspection procedures and how common violations are addressed.

All were welcome to attend.

## **4. ADJOURNMENT**

Mayor Graham adjourned the meeting at 1:57 p.m.

The next meeting will be February 15, 2005, at 1:30 p.m., at the Indiana Government Center South, Conference Center Room A, 402 West Washington Street, Indianapolis, Indiana.

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TECHNICAL SECRETARY